

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **Case No. 04-CR-0021-CVE**
)
)
EDD TAWON PAYNE,)
)
Defendant.)

OPINION AND ORDER

Now before the Court is Defendant's Application for Court Funded Expert Services (Dkt. # 107), requesting Court authorization for the distribution of funds for expert services. Defendant seeks \$3000 to obtain a psychiatric determination of defendant's mental competency at the time of his alleged involvement in the crime at issue.

By statute, the Court is permitted to authorize no more than \$1600 in compensation for expert services, unless additional compensation is "necessary to provide fair compensation for services of an unusual character or duration." 18 U.S.C. § 3006A(e)(3). Currently, the Court is unpersuaded that defendant requires services of an unusual character or duration demanding funding beyond that prescribed by statute. Defendant's application appears to seek nothing more than a standard psychiatric evaluation. Additionally, defendant has been subject to extensive psychiatric evaluation in the course of these proceedings. The reports developed as a result of those evaluations will surely be evaluated as part of any expert's current evaluation of defendant, presumably eliminating the need for an unusually long period of evaluation. If, during the course of the current examination, it becomes clear that additional funding is necessary, defendant may petition the Court for such funds, provided he can demonstrate the need for services of an "unusual character or duration."

IT IS THEREFORE ORDERED that, pursuant to 18 U.S.C. § 3006A(e), defendant's application (Dkt. # 107) is **granted** insofar as it requests funding of up to \$1600 for expert services. Defense counsel is directed to complete and submit immediately an Authorization and Voucher for Expert and Other Services, CJA Form 21.

DATED this 26th day of September, 2005.



CLAIRES V. EAGAN, CHIEF JUDGE
UNITED STATES DISTRICT COURT